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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 NICOLE A. HARDIN,  
12 Plaintiff,

No. CIV S-05-0381-WBS-CMK

13 vs.

ORDER

14 JO ANNE B. BARNHART,  
15 Commissioner of Social Security,  
16 Defendant.  
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18 Plaintiff, who is proceeding with retained counsel, brings this action for judicial  
19 review of a final decision of the Commissioner of Social Security pursuant to 42 U.S.C. §  
20 405(g). Pending before the court is plaintiff's second stipulated motion for an extension of time  
21 (Doc. 15), filed on February 21, 2006.


22 On April 5, 2005, the court issued a scheduling order which required plaintiff to  
23 prosecute this action by either seeking voluntary remand or filing a dispositive motion within 45  
24 days from the date of service of the administrative record by defendant. The court's records  
25 reflect that the administrative record was served on November 7, 2005. Plaintiff now seeks a  
26 second extension of time to March 23, 2006, to file a dispositive motion. Defendant does not

1 oppose the request. Good cause appearing therefor, the request will be granted. Plaintiff is  
2 warned that failure to comply with the court's scheduling order within the time provided in this  
3 order may result in dismissal of this action for lack of prosecution and failure to comply with  
4 court orders and rules. See Local Rule 11-110.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's second motion for an extension of time is granted; and
- 7 2. Plaintiff shall file a dispositive motion by March 23, 2006.

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9 DATED: February 27, 2006.

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12 **CRAIG M. KELLISON**  
13 UNITED STATES MAGISTRATE JUDGE  
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